

Service Date: April 23, 2001

DEPARTMENT OF PUBLIC SERVICE REGULATION
BEFORE THE PUBLIC SERVICE COMMISSION
OF THE STATE OF MONTANA

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IN THE MATTER OF MONTANA POWER)	UTILITY DIVISION
COMPANY, Complaint by RICHARD)	
HELFRICH, Concerning Energy Audits)	DOCKET NO. D2000.11.193
)	ORDER NO. 6324a

PROTECTIVE ORDER

In this matter, on February 22, 2001, the Public Service Commission (PSC) issued an order dismissing, with conditions, a complaint by Richard Helfrich against Montana Power Company (MPC). The conditions of dismissal include a temporary (six month) monthly reporting requirement pertaining to MPC energy audits. MPC is required to provide to the PSC all audit-customer comment cards received during the reported month and a list of customers audited during that month.

On March 29, 2001, MPC requested that the PSC issue a protective order to govern public disclosure of the information to be filed. MPC argues that the required reporting will include information that is trade secret and information customers expect will be private. The PSC agrees with MPC that the reported information will include information to which customers have a right to expect privacy (pursuant to Art. II, § 10, Mont. Const.). Therefore, the PSC grants MPC's request and hereby orders that the information submitted in accordance with this Order will be treated as "confidential information" under the terms of this Order and PSC protective order rules, ARM 38.2.5001 through 38.2.5030.

Done and dated this 17th day of April, 2001, by a vote of 5-0.

BY ORDER OF THE MONTANA PUBLIC SERVICE COMMISSION

GARY FELAND, Chairman

JAY STOVALL, Vice Chairman

BOB ANDERSON, Commissioner

MATT BRAINARD, Commissioner

BOB ROWE, Commissioner

ATTEST:

Rhonda J. Simmons
Commission Secretary

(SEAL)

NOTE: There is no reconsideration of the granting of a protective order. There is a procedure to challenge the provider's claim of confidentiality. See ARM 38.2.5008. Reconsideration of a denial of a protective order is available in accordance with ARM 38.2.4806.

Montana Public Service Commission
Protective Orders and Protection of Confidential Information

Nondisclosure Agreement

(7-26-00)

ARM 38.2.5012

Docket No. D2000.11.193, Order No. 6324a
Order Action Date: April 17, 2001

I understand that in my capacity as counsel or expert witness for a party to this proceeding before the commission, or as a person otherwise lawfully so entitled, I may be called upon to access, review, and analyze information which is protected as confidential information. I have reviewed ARM 38.2.5001 through 38.2.5030 (commission rules applicable to protection of confidential information) and protective orders governing the protected information that I am entitled to receive. I fully understand, and agree to comply with and be bound by, the terms and conditions thereof. I will neither use nor disclose confidential information except for lawful purposes in accordance with the governing protective order and ARM 38.2.5001 through 38.2.5030 so long as such information remains protected.

I understand that this nondisclosure agreement may be copied and distributed to any person having an interest in it and that it may be retained at the offices of the provider, commission, consumer counsel, any party and may be further and freely distributed.

Typed or Printed Name

Signature

Date of Signature

Business Address:

Employer

Party Represented

